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PTO/SB/21 (08-03)

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1745

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/854,362

Filing Date

May 15, 2001

First Named Inventor

David G. Frank

Art Unit

1745

Examiner Name

Angela J. Martin

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DEC 08 2003
TC 1700

Attorney Docket Number

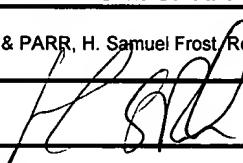
9351-46

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter to Commissioner of Patents
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BERESKIN & PARR, H. Samuel Frost Reg. No. 31,696
Signature	
Date	December 2, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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December 2, 2003



H. Sam Frost B.A. (Eng. Sci.), M.Sc. (Nucl. Eng.)
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**INFORMATION DISCLOSURE
STATEMENT UNDER CFR.1.56 and CFR 1.97(c)**

RECEIVED
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TC 1700

The Commissioner of Patents
PO BOX 1450
Alexandria, Virginia
U.S.A. 22313-1450

Dear Sir:

Re: U.S. Patent Application No. 09/854,362
For: APPARATUS FOR AND METHOD OF FORMING SEALS IN FUEL CELLS AND
FUEL CELL STACKS
Filed: May 15, 2001
Applicant: David G. Frank, et al.

This Information Disclosure Statement is filed, to the knowledge of the applicant, prior to the mailing of a final action or Notice of Allowance. As required by 1.97(c)(1), the Examiner is advised that each item of information in this Information Disclosure Statement was cited in the International Search Report of the corresponding PCT application not more than 3 months prior to the filing of this Information Disclosure Statement. In particular, the International Search Report was mailed on September 3, 2003, and a copy is attached.

Accordingly, the applicant submits that the Information Disclosure Statement is properly considered at this time.

A machine translation of Japanese published application 2001-338673 is attached and no statement is made concerning the accuracy or otherwise of this translation, and the applicants reserve the right to submit a substitute translation of this reference.

(A) List of references

A list of the patents and other publications of which the applicant is aware is set out in the attached PTO Form PTO/SB/08a which is attached hereto.

Please send all correspondence to the Mississauga office:

2000 Argentia Rd., Plaza 4, Ste. 430,
Mississauga, Ontario, Canada L5N 1W1
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Scotia Plaza, 40 King St. West, 40th Floor,
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Waterloo Technology Campus, 408 Albert St., Ste. 2,
Waterloo, Ontario, Canada N2L 3V3
Tel: 519.783.3210 Fax: 519.783.3211

(B) Copies of References

The applicant has attached hereto a copy of each of the references referred to in PTO Form PTO/SB/08a.

Respectfully submitted,



H. Samuel Frost
Registration No. 31,696

/It
Enclosure



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~~Substitute for form 1449A/PTO~~

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

Complete if Known	
Application Number	09/854,362
Filing Date	May 15, 2001
First Named Inventor	David G. Frank
Art Unit	1745
Examiner Name	Angela J. Martin
Attorney Docket Number	9351-46

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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